PTO/SB/21 (08-03)
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#### Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/820,389 Filing Date **TRANSMITTAL** April 7, 2004 First Named Inventor **FORM** Keith E. BARR Art Unit Not Yet Assigned (to be used for all correspondence after initial filing) Examiner Name Not Yet Assigned Attorney Docket Number Total Number of Pages in This Submission 5 542262000200 ENCLOSURES (Check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board of Fee Attached Licensing-related Papers Appeals and Interferences Appeal Communication to Group Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please **Extension of Time Request** Terminal Disclaimer identify below): **Express Abandonment Request** Form PTO-1449 (1 page) Request for Refund Return postcard Information Disclosure Statement (3 CD, Number of CD(s) pages) Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT MODDISON & ECEDSTED LLD (Customer No. 25226)

or Individual name	Hugh H. Matsubayashi - 43,779
Signature	1 Sugl 10 matribage
Date	June 9, 2004
	that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in dressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date  2004 Signature (Julie M. Hassell)
pa-892534	



#### CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA, 22313-1450, on June 9, 2004.

Julie M. Hassell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Keith E. BARR

Serial No.: 10/820,389

Filing Date: April 7, 2004

For: INCLINATION SENSOR

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. The Examiner is requested to make these documents of record in the application.

	This I	nformation Disclosure Statement is submitted:				
	With	the application; accordingly, no fee or separate requirements are required.				
	Befor	e the mailing of a first Office Action after the filing of a Request for Continued				
	Exam	ination under § 1.114. However, if applicable, a certification under 37 C.F.R. §				
	1.97(	e)(1) has been provided.				
$\boxtimes$	Withi	n three months of the application filing date or before mailing of a first Office				
	Action	n on the merits; accordingly, no fee or separate requirements are required.				
	Howe	ver, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.				
	After	receipt of a first Office Action on the merits but before mailing of a final Office				
	Action	n or Notice of Allowance.				
		A fee is required. A check in the amount of is enclosed.				
		A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached				
		to this submission in duplicate.				
		A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee				
		is believed to be due.				
<u> </u>	After mailing of a final Office Action or Notice of Allowance, but before payment of the					
	issue	fee.				
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the				
		amount of is enclosed.				
		A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal				
		form (PTO/SB/17 is attached to this submission in duplicate.)				

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 542262000200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 9, 2004

Respectfully submitted,

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Form PTO-1449 INFORMATION DISCLOSURE CITATION

Applicant

Keith E. BARR

(Use several sheets if necessary)

Filing Date April 7, 2004 Group Art Unit Not Yet Assigned

Mailing Date June 9, 2004

## **U.S. PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	04/20/2004	D488,731 S	Barr			
	2.	07/16/1974	3,823,486	Bhat et al.			
	3.	11/23/1976	3,992,951	Erspamer et al.			
	4.	06/14/1977	4,028,815	Buckley et al.			
	5.	12/27/1983	4,422,243	Brunson et al.			
	6.	03/12/1985	4,503,622	Swartz et al.			
	7.	11/24/1987	4,707,927	Hiyama			
	8.	09/22/1992	5,150,104	Thomas et al.			
	9.	01/19/1993	5,180,986	Swartz et al.			
· · · · · · · · · · · · · · · · · · ·	10.	08/02/1994	5,335,190	Nagle et al.			
	11.	07/11/1995	5,432,503	Pekar			
	12.	01/02/1996	5,479,716	Murphy			
	13.	03/18/1997	5,612,679	Burgess			
	14.	09/02/1997	5,662,535	Smith			
	15.	03/24/1998	5,731,761	Sychra			
	16.	09/17/2002	6,449,857	Anikolenko			

### FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Trans YES	lation NO

# OTHER DOCUMENTS (including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Γitle

**EXAMINER:** 

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.